

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

ADVANCED TRAINING GROUP)	
WORLDWIDE, INC.)	
)	
Plaintiff,)	
)	
v.)	Case No.: 1:19-cv-00505-TSE-TCB
)	
PROACTIVE TECHNOLOGIES, INC.)	
)	
Defendant.)	
)	

**DEFENDANT, PROACTIVE TECHNOLOGIES, INC.’S
MOTION *IN LIMINE* TO PRECLUDE EVIDENCE OF DAMAGES**

Defendant ProActive Technologies, Inc. (“Defendant” or “ProActive”), by and through its undersigned counsel and pursuant to this Court’s Scheduling Order, files this Motion *in Limine* to Preclude Plaintiff, Advance Training Group Worldwide, Inc. (“ATG”), from introducing any evidence relating to any claimed damage. Because (1) ATG failed to disclose any evidence that would support any legally viable measure of damage; (2) ATG lacks any identified witness with the requisite foundation to opine on its claimed damages; and (3) ATG’s failure to disclose such critical information was not justified and is prejudicial to ProActive; the Court should prohibit ATG from introducing any evidence that would support its claimed damages in this matter.

WHEREFORE, Defendant ProActive Technologies, Inc. respectfully requests that this Honorable Court: grant the instant Motion; prohibit ATG from presenting any damages related testimony or evidence at trial; and award such other and further relief as this Court deems just and proper.

A proposed Order follows.

Respectfully submitted,

PROACTIVE TECHNOLOGIES, INC.

/s/

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Counsel for Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 12th day of March, 2020, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all counsel of record.

/s/

Jeffrey S. Poretz